

**EDUCATION & LABOR COMMITTEE**

**Congressman George Miller, Chairman**

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**Chair McCarthy Statement at Subcommittee Hearing on “Corporal Punishment in Schools and Its Effect on Academic Success”**

WASHINGTON, D.C. – *Below are the prepared remarks of U.S. Rep. Carolyn McCarthy (D-NY), chair of the Healthy Families and Communities Subcommittee, for a subcommittee hearing on “Corporal Punishment in Schools and Its Effect on Academic Success”*

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First, I would like to thank all of our witnesses for being here today.

We have assembled a very knowledgeable panel.

They bring their personal experiences and a wealth of information from research and work in the field.

Congress has not held a hearing on the use of paddling in schools since 1992.

Corporal punishment refers to the application of **physical pain** as a method of behavior change.

We are NOT talking about situations where a school official may need to restrain a student.

Nor are we talking about using physical force as a means of protecting members of the school community subject to danger.

Ohio is the most recent state to ban this practice last summer, but corporal punishment is still legal in 20 states.

According to data collected by the U.S. Department of Education’s Office of Civil Rights the use of paddling in schools has dropped each year, but there are still hundreds of thousands of students who are paddled.

The most recent OCR data is from the 2006-2007 school year, which indicates that over 223,000 students were paddled in our nation.

The OCR data also indicates that minority students, and students with disabilities are paddled at higher rates.

The most recent available statistics show that African American students are subjected to physical punishment at school at about twice the national rate.

Schoolchildren with disabilities are also subjected to corporal punishment at disproportionately high rates, approximately twice the rate of the general student population in some States.

Kindergarten through 8<sup>th</sup> grade students are more likely to be paddled than high school students.

The Department of Education data may be under counting since they only record how many students are paddled, not how many times a student is paddled.

So if a particular student is paddled multiple times, it counts as one paddling.

Students are typically hit on their buttocks with a wooden paddle, approximately 15 inches long, between two and four inches wide, and one-half inch thick, with a six-inch handle at one end.

The size of paddles can vary, but I have one here and this is what they look like.

When a student is paddled, typically he or she will be told to stand with their hands on a desk or a chair, so that the student is bent over, and the student is paddled on the buttocks.

Sometimes paddlings occur in an office other times it will be a more public setting, in full view of the student's classmates.

Most students are paddled for minor infractions, violating a dress code, being late for school, talking in class or in the hallway, or being "disrespectful."

In some school districts parents can "opt-out" of having their children paddled, but unfortunately, there are reports of parents' wishes being ignored which can be very hard to prove. As we will hear today, researchers, principals and teachers say paddling is not an effective discipline tactic.

Paddling can cause immediate pain, lasting physical injury, and on-going mental distress.

We will also hear that paddling causes lower school achievement, antisocial behavior, tendency for school avoidance, and school dropout.

In our Committee we spend a great deal of our time talking about the best ways to help our students achieve better success in schools and this practice is not one of them.

How can we talk about safety in schools and not bring sanctioned hitting of our students into the conversation?

The leading Supreme Court case on corporal punishment in schools is the *Ingraham* case which was decided over 30 years ago.

This was at a time when only two states had banned corporal punishment, and when the social science disfavoring corporal punishment was not as compelling as it is today.

The federal government has outlawed physical punishment in prisons, jails and medical facilities.

Yet our children sitting in a classroom are targets for hitting.

We know safe, effective, evidence-based strategies are available to support children who display challenging behaviors in school settings.

Hitting children in school does not help them achieve academic success.

Hitting children in school is not an effective discipline tactic.

Hitting children in school does not make them feel safe in school.

Instead, they feel humiliated, helpless, depressed, and angry.

Hitting children teaches them that it is a legitimate way to handle conflict.

We are adults.

We shouldn't be hitting kids in schools.

Instead, we, as a nation, should move toward these positive strategies when it comes to our school children.

It has been a hundred and fifty years since the first state banned this practice in schools.

Since then, 29 states have done the same.

But it is still occurring every day in our nation and we still have hundreds of thousands of students being hit in our schools.

Soon I will introduce legislation on this issue to end paddling in schools which I will urge my colleagues to support.

I look forward to hearing from our witnesses.

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